

CLERK'S OFFICE U.S. DIST. COURT
AT ABINGDON, VA
FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

FEB 23 2015

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

HAYWARD CREECH, JR., MICHAEL)
FAUSTICH, AND JERRY BENTLEY)
)
Plaintiffs,)
v.)
)
VIRGINIA FUEL CORPORATION)
)
Defendant.)

Case No. 2:14-cv-00006-JPJ-PMS

ORDER GRANTING FINAL APPROVAL OF SETTLEMENT

On December 15, 2014, the parties filed a Joint Motion for Preliminary Approval of the Settlement and Approval of the Class Notice (ECF No. 59). On December 16, 2014, this Court granted preliminary approval of the settlement, pending a final hearing, and approved notice of the proposed settlement to the Class (ECF No. 61).

Counsel for the Class represents that they sent the approved Class Notice (ECF No. 60-2) to each Class Member. The Class Notice described the proposed settlement and provided detailed instructions to Class Members on the procedure for objecting to the settlement. No member of the Class made any objection to the proposed settlement.

On February 23, 2015, pursuant to proper notice, the Court held a final hearing on the proposed settlement and award of attorneys' fees to Class Counsel. No party objected to the proposed settlement or award of attorneys' fees to Class Counsel.

After due deliberation, the Court finds that based on the range of possible outcomes and the uncertainty associated with further litigation, the Settlement Agreement is fair, reasonable and adequate, and final approval of the Settlement Agreement is warranted.

THEREFORE, IT IS HEREBY ORDERED THAT:

- 1) The Joint Motion is GRANTED in all respects;
- 2) The Settlement Agreement is fair, reasonable and adequate and is APPROVED in all respects;
- 3) Virginia Fuel Corporation will make the payments described in Paragraph 3 of the Settlement Agreement within 30 days of the date of this Order in the manner described in Paragraph 3 of the Settlement Agreement;
- 4) The Court will retain jurisdiction with respect to all matters arising from or related to the implementation of this Order, as provided in the Settlement Agreement;
- 5) Promptly after Virginia Fuel Corporation makes the payments described in the Settlement Agreement, the parties' counsel shall submit an endorsed order dismissing this civil action with prejudice; and
- 6) This matter is continued on the Court's civil docket.

ENTER this 23rd day of February, 2015


United States District Judge